

Notice of Allowability

Application No.

10/698,939

Applicant(s)

ISHIDA, HIROYUKI

Examiner

Y M. Lee

Art Unit

2885

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of December 18, 2007.
2. ☒ The allowed claim(s) is/are 3-5, 7-11, 15, 16, 18 and 19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

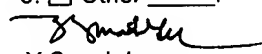
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Y Quach Lee
Primary EXaminer
Art Unit 2885

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Andrew J. Taska on January 22, 2008.

In the Claims:

Claim 9. Line 4, before "high", --first illuminating beam comprising a-- has been inserted.

Claim 10. Line 3, before "low", --second illuminating beam comprising a-- has been inserted.

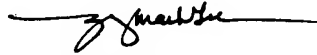
Claim 3 is allowed because the prior art whether individually or in combination does not teach the combination of a semiconductor light emitting device comprising at least one semiconductor light emitting element for forming a high beam and at least one semiconductor light emitting element for forming a low beam with the illuminating beams switchable by selectively activating selected ones of the light emitting elements and each of the light emitting elements having a horizontally elongated shape extending in a horizontal direction orthogonal to an optical axis of the light emitting device with a light distribution pattern formed by expanding a light source image mainly in the horizontal direction, and an optical system comprising at least one of a reflector and a lens. Claims 4 and 5 further limit claim 3 and as such are also allowed. Claim 7 is allowed because the prior art whether individually or in combination does not teach the combination of at least one semiconductor light emitting element for forming a first illuminating beam and at least one semiconductor light emitting element forming a second illuminating beam with the illuminating beams switchable by selectively activating selected ones of the light emitting elements, each of the light emitting elements mounted at a position offset from an optical axis of a device lens enveloping the light emitting elements, a base member on which the light emitting elements are mounted, and an optical system comprising at least one of a reflector and a lens. Claims 8 to 11, 15, 16, 18 and 19 further limit claim 7 and as such are also allowed.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Monday to Thursday from 8:30 am to 2:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service 571-272-2815.

Y. Q.
January 22, 2008


Y Quach Lee
Primary Examiner
Art Unit 2885